

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS.

Claims 1, 3-5 and 7-10 are pending. Claims 1 and 5 are independent. Claims 1, 3-5 and 7-9 are hereby amended. Claims 2 and 6 have been canceled. No new matter is added by these amendments. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. 35 U.S.C. §102(a) REJECTIONS

Claims 1, 3, 5 and 7 were rejected under 35 U.S.C. §102(a) as allegedly anticipated by U.S. Patent No. 5,841,740 to Fijita et al. (hereinafter, merely "Fijita").

III. 35 U.S.C. §103(a) REJECTIONS

Claims 4 and 8 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Fijita in view of U.S. Patent No. 6,505,217 to Venkatraman et al. (hereinafter merely, "Venkatraman").

Claims 9 and 10 were rejected under 35 U.S.C 103(a) as allegedly unpatentable over Fijita in view of U.S. Patent No. 6,032,216 to Schmuck et al. (hereinafter merely, "Schmuck").

IV. RESPONSE TO REJECTIONS

Amended independent claim 1 recites, *inter alia*:

"...control means for recording information in the recording means and for acquiring the information relating to the free storage space of the recording means,

wherein the control means selects the recording means by generating a list in which the recording means are arranged in decreasing order of free storage space, comparing the storage space consumption amount to the free storage space values of all the recording means, and judging whether there exists a recording means having an unused port." (emphasis added)

It is respectfully submitted that Fijita does not disclose the above features.

Applicants submit that Fijita does not disclose selecting a recording means as recited above.

Accordingly, amended claim 1 is believed to be distinguishable from Fijita.

For reasons similar or somewhat similar to those described above with regard to claim 1, amended independent claim 5 is believed to be distinguishable from Fijita.

Furthermore, Venkatraman and Schmuck fail to cure the above described deficiencies of Fijita, as discussed above.

V. DEPENDENT CLAIMS.

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent

claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

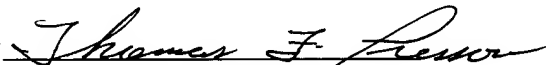
In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, or references, there is the basis for a contrary view.

In view of the foregoing, entry of this amendment and these remarks and withdrawal of the rejection of claims 1, 3-5, and 7-10 and the allowance of this application with claims 1, 3-5, and 7-10 are respectfully requested.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

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